

## MINUTES OF THE CITY COUNCIL

Moorpark, CaliforniaFebruary 4, 2009

A Regular Meeting of the City Council of the City of Moorpark was held on February 4, 2009, in the Council Chambers of said City located at 799 Moorpark Avenue, Moorpark, California.

## 1. CALL TO ORDER:

Mayor Parvin called the meeting to order at 7:11 p.m.

## 2. PLEDGE OF ALLEGIANCE:

Jim Stueck, Ventura County Ombudsman, led the Pledge of Allegiance.

## 3. ROLL CALL:

Present: Councilmembers Lowenberg, Mikos, Van Dam, and Mayor Parvin.

Absent: Councilmember Millhouse

Staff Present: Steven Kueny, City Manager; Hugh Riley, Assistant City Manager; Barry Hogan, Deputy City Manager; Mary Lindley, Parks/Recreation and Community Services Director; Yugal Lall, City Engineer/Public Works Director; David Bobardt, Planning Director; David Moe, Redevelopment Manager; David Lasher, Senior Management Analyst; Captain Ron Nelson, Sheriff's Department; Deborah Traffenstedt, Administrative Services Director/City Clerk; and Maureen Benson, Assistant City Clerk.

## 4. PROCLAMATIONS AND COMMENDATIONS:

None.

## 5. PUBLIC COMMENT:

None.

AT THIS POINT in the meeting, the City Council recessed to convene a meeting of the Moorpark Redevelopment Agency. The time was 7:12 p.m. The City Council meeting reconvened at 7:13 p.m.

6. REORDERING OF, AND ADDITIONS TO, THE AGENDA:

CONSENSUS: It was the consensus of the Council to pull Item 10.F. from the Consent Calendar for individual consideration upon the request of Councilmember Mikos.

7. ANNOUNCEMENTS, FUTURE AGENDA ITEMS, AND REPORTS ON MEETINGS/CONFERENCES ATTENDED BY COUNCILMEMBERS AND MAYOR:

Councilmember Lowenberg announced the Moorpark City Library proudly presents an afternoon with famed author and actor Robert Wagner. Mr. Wagner is appearing at the High Street Arts Center on Saturday afternoon, February 7th at 2:00 p.m. where he will discuss his bestselling book "Pieces of My Heart". Copies of the book will be on sale at the event along with book signing.

Councilmember Van Dam announced he had attended a retirement party for Jewel Pedi, 30 year advocate for the Food Share program, where he presented her with a certificate of recognition from the City.

Councilmember Van Dam reported on having attended a Ventura Council of Governments (VCOG) meeting last week.

Councilmember Van Dam announced the "Relay for Life" supporting the cure for cancer, will be held April 25th and 26th.

Councilmember Van Dam announced he had attended the Moorpark Chamber of Commerce Installation and stated he is looking forward to working with the Chamber in business development this coming year.

Councilmember Van Dam announced he attended the opening of the new Smart & Final with Councilmember Lowenberg and Mayor Parvin.

Councilmember Van Dam announced the new edition of the City Newsletter and Recreational Guide contains information on the upcoming skatepark, youth sports, and park locations.

Councilmember Van Dam announced "The Prisoner of Second Avenue" starts February 6th at the High Street Arts Center and runs through March 8th.

Councilmember Mikos announced other local business grand openings including Fresh & Easy and Rabo Bank. She encouraged everyone to shop Moorpark especially during these trying economic times.

Mayor Parvin announced middle and high school students are invited to join the Youth Services Librarian for Valentine card crafts on Tuesday and Wednesday afternoons, February 10th and 11th at the library.

Mayor Parvin announced Neighborhood Enhancement Program applications are now available at City Hall. Once per year, neighborhoods are eligible to apply to participate in this free program to receive large roll-off dumpsters for trash and yard waste disposal. Events take place on the first Saturday in March, April, May, and June from 8:00 a.m. to noon and the City pays the disposal costs as part of the program.

Mayor Parvin welcomed new businesses, Smart & Final, Fresh & Easy, Java Kai, Euodia Salon & Day Spa, Rabobank, and Carvel Ice Cream. She asked the community to shop Moorpark.

Mayor Parvin announced she attended the City Select Committee meeting in Camarillo and that there was discussion on water rationing. She recommended citizens prepare now for the summer months when water rationing will become a reality.

8. PUBLIC HEARINGS:

- A. Consider Proposals for Fiscal Year 2009/10 for \$199,002 in Community Development Block Grant (CDBG) Funds. Staff Recommendation: 1) Open the public hearing, accept public testimony, and close the public hearing; 2) Refer this matter to the Council's Finance, Administration, and Public Safety Committee (Mayor Parvin and Mayor Pro Tempore Van Dam) for preparation of a recommendation for final appropriations for City Council consideration at the March 4, 2009 regular meeting; and 3) Continue this item with the public hearing closed, to the meeting of March 4, 2009.

Mr. Lasher gave the staff report.

Mayor Parvin opened the public hearing.

Jim Stueck, Ventura County Ombudsman requested funding for support of the care of the elderly in 217 Ventura County facilities with 7,500 residents of which, 150 are currently from Moorpark.

Pat Digre, representing Lutheran Social Services, requested funding to support the start of a Caring Neighbors program to make minor home repairs and yard cleanup available to the elderly in an attempt to eliminate hazards and prevent falls.

Marissa Mach, representing RAIN Transitional Living Center, requested funding to support housing for the homeless and onsite programs including case management, counseling, job coaching, coordination with other programs, and transportation to medical appointments, job interviews, and employment.

Joan Moore, representing Brain Injury Center, requested funding to support their referral service with outreach in Ventura County.

Diane Scruton, representing Loving Heart Hospice Foundation, requested funding for the Moorpark facility providing services to the terminally ill and their families.

Angel Cottrell, representing Women's Economic ventures, requested funding for their program providing economic empowerment to women.

Kristy Pollard, representing Food Share, requested funding for the Brown Bag program for seniors.

Mayor Parvin closed the public hearing.

MOTION: Councilmember Mikos moved and Councilmember Lowenberg seconded a motion to: 1) Refer this matter to the Council's Finance, Administration, and Public Safety Committee (Mayor Parvin and Mayor Pro Tempore Van Dam) for preparation of a recommendation for final appropriations for City Council consideration at the March 4, 2009 regular meeting; and 2) Continue this item with the public hearing closed, to the meeting of March 4, 2009. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

9. PRESENTATION/ACTION/DISCUSSION:

A. Consider Presentations from Candidates for Moorpark Arts Commission.  
Staff Recommendation: Hear presentations from candidates and appoint five (5) Moorpark Arts Commissioners to serve a two-year term ending December 2010.

Ms. Traffenstedt gave the staff report.

Mayor Parvin called the candidates to give their presentations in the order their names were drawn by the City Clerk prior to the start of the meeting.

The Council listened to presentations and conducted interviews of the Moorpark Arts Commission candidates in the following order:

Cheryl DeBari Schaible  
Mary Schwabauer  
Tina Hamous  
Pennie Patterson  
Jean Amador  
Wendy Molloy  
Tom Puckett

Mayor Parvin stated her intention to nominate, in no particular order, Mary Schwabauer, Tina Hamous, Jean Amador, Wendy Molloy, and Tom Puckett.

MOTION: Mayor Parvin nominated and Councilmember Van Dam seconded the nomination of Mary Schwabauer to serve on the Moorpark Arts Commission for a two-year term ending in December 2010. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

MOTION: Mayor Parvin nominated and Councilmember Lowenberg seconded the nomination of Tina Hamous to serve on the Moorpark Arts Commission for a two-year term ending in December 2010. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

MOTION: Mayor Parvin nominated and Councilmember Mikos seconded the nomination of Jean Amador to serve on the Moorpark Arts Commission for a two-year term ending in December 2010. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

MOTION: Mayor Parvin nominated and Councilmember Van Dam seconded the nomination of Wendy Molloy to serve on the Moorpark Arts Commission for a two-year term ending in December 2010. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

MOTION: Mayor Parvin nominated and Councilmember Mikos seconded the nomination of Tom Puckett to serve on the Moorpark Arts Commission for a two-year term ending in December 2010. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

B. Consider Appointment to Fill a Vacancy on the Citizens Transportation Advisory Committee (CTAC). Staff Recommendation: Appoint one CTAC representative to fill the vacancy to complete the two-year term ending December 2010, and consider appointing an alternate to take the place of the previously appointed staff member.

Ms. Traffenstedt gave the staff report.

In response to Mayor Parvin, Ms. Traffenstedt stated there were no speakers.

MOTION: Mayor Parvin nominated and Councilmember Mikos seconded the nomination of Paula Fernandez to fill the vacancy and serve as representative on the Citizens Transportation Advisory Committee for a two-year term ending in December 2010. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

**MOTION:** Mayor Parvin nominated and Councilmember Lowenberg seconded the nomination of Joseph Catrambone to serve as alternate on the Citizens Transportation Advisory Committee for a two-year term ending in December 2010. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- C. Consider Recommended Bylaws for the Moorpark Community Foundation for the Arts. Staff Recommendation: Direct staff as deemed appropriate.

Mr. Riley gave the staff report and made editorial corrections to the Bylaws on stamped page 136 of the agenda report to delete "unless the Committee" from the end of the second sentence in Section 12 and to correct the last sentence of Section 14 on stamped page 137 of the agenda report to read "...enumerated in reference Article V, in Section 12" and "agreements which may create..."

In response to Mayor Parvin, Ms. Traffenstedt stated there were no speakers.

**MOTION:** Councilmember Mikos moved to direct staff to approve the bylaws as corrected, file necessary paperwork for the 501(c)(3) and begin to apply for grant applications.

Mr. Kueny and Mr. Riley confirmed grant applications would be premature since the 501(c)(3) non-profit status would already have to be in place.

**AMENDED MOTION:** Councilmember Mikos amended her motion and Councilmember Lowenberg seconded the amended motion to approve the bylaws with the suggested corrections to stamped pages 136 and 137 and to move forward with recruitment for Moorpark Community Foundation for the Arts Board Members, subject to appointment by the City Council. The motion carried by voice vote 4-0, Councilmember Millhouse absent.

- D. Consider Resolution Amending the Fiscal Year 2008/09 Budget to Allocate Funds for Mammoth Art Sculpture at Mammoth Highlands Park. Staff Recommendation: Adopt Resolution No. 2009-2786, amending the FY 2008/09 Budget to appropriate \$32,000 from the Art in Public Places Fund for the Mammoth Highlands Park sculpture. ROLL CALL VOTE REQUIRED

Ms. Lindley gave the staff report.

In response to Mayor Parvin, Ms. Traffenstedt stated there were no speakers.

A discussion among Councilmembers and staff regarding additional funds to supply informational signage in the park to provide a historical and geographical perspective on the two mammoth skeletal remains found in

Moorpark, and the need to retain possession of the art design in case the sculpture needs to be replaced in the future due to wear and tear.

**MOTION:** Councilmember Mikos moved and Mayor Parvin seconded a motion to adopt Resolution No. 2009-2786, as amended to appropriate \$33,000 from the Art in Public Places Fund for the Mammoth Highlands Park sculpture and signage. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- E. Consider Status Report on Mission Statement, Priorities, Goals and Objectives for Fiscal Year 2008/2009 and Direction for Fiscal Year 2009/2010. Staff Recommendation: Direct staff as deemed appropriate.

Mr. Kueny gave the staff report.

In response to Mayor Parvin, Ms. Traffenstedt stated there were no speakers.

The following comments were made by Council: 1) Make contact information for foreclosure counseling available on the City's website for Moorpark families losing their homes; 2) Advertise regularly for the High Street Arts Center on marquee signs; 3) Emphasize spending more time and money on graffiti abatement, and 4) In planning for the future year, keep in mind a long-term perspective, invest in what will be the future, and do not get rid of the best people.

**CONSENSUS:** It was the consensus of the Council to receive and file the report with comments from Council.

10. **CONSENT CALENDAR: (ROLL CALL VOTE REQUIRED)**

The following item was pulled for individual consideration.

- F. Consider Resolution Amending the Fiscal Year 2008/09 Budget to Appropriate Funds for Design and Construction of a Traffic Signal at Collins Drive and University Drive – Project 8083. Staff Recommendation: Adopt Resolution No. 2009-2787. ROLL CALL VOTE REQUIRED

Councilmember Mikos stated she had this item pulled so the public could be made aware of the progress made on this project to install a traffic signal at Collins Drive and University Drive and to acknowledge an agreement has been reached with Moorpark Community College for their monetary participation in this project as well as future projects in the area surrounding the college.

**MOTION:** Councilmember Mikos moved and Councilmember Van Dam seconded a motion to: 1) Adopt Resolution No. 2009-2787; and 2) Approve the remainder of the

Consent Calendar. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

- A. Consider Minutes Regular Meeting of January 21, 2009. Staff Recommendation: Approve the minutes
- B. Consider Warrant Register for Fiscal Year 2008-2009 – February 4, 2009. Staff Recommendation: Approve the warrant register.
- C. Consider Agreement with the Moorpark Friends of the Library. Staff Recommendation: Approve the Agreement, subject to final language approval by the City Manager and City Attorney.
- D. Consider Resolution Appointing Officers of the City to the California Joint Powers Insurance Authority of Directors and Committees and Rescinding Resolution No. 2001-1880. Staff Recommendation: Adopt Resolution No. 2009-2788.
- E. Consider Grant Easement to Southern California Edison Company Over Lot C of Tract No. 5405. Staff Recommendation: Approve granting of easement and authorize the Mayor to sign and the City Clerk to attest and record the Grant of Easement and attachments thereto in the office of the Ventura County Recorder.
- G. Consider Resolution Amending Fiscal Year 2008/09 Budget for Additional Funds for the Mobilehome Rehabilitation Loan Program. Staff Recommendation: Adopt Resolution No. 2009-2789. ROLL CALL VOTE REQUIRED
- H. Consider Upgrade of Administrative Specialist Position in the Assistant City Manager's Office to Management Analyst. Staff Recommendation: Approve the upgrade in position effective with the pay period beginning January 31, 2009.
- I. Consider Adoption of a Standards of Conduct Policy at the Active Adult Center. Staff Recommendation: Approve adoption of the Standards of Conduct Policy and direct staff to incorporate the new policy into the City Council Policies Resolution on the next amendment.

11. ORDINANCES: (ROLL CALL VOTE REQUIRED)

- A. Consider Ordinance No. 374 Amending Chapter 9.20, Alcoholic Beverages, of Title 9 Public Peace, Morals and Welfare, of the Moorpark Municipal Code, Including to Make It Unlawful for Persons to Consume or Possess Open Containers of Alcoholic Beverages In a Public Place. Staff Recommendation: Waive full reading and declare Ordinance No. 374

read for the second time and adopted as read. ROLL CALL VOTE  
REQUIRED

Ms. Traffenstedt read the title of Ordinance No. 374.

MOTION: Mayor Parvin moved and Councilmember Van Dam seconded a motion to waive full reading and declare Ordinance No. 374 read for the second time, and adopted as read. The motion carried by roll call vote 4-0, Councilmember Millhouse absent.

12. CLOSED SESSION:

None was held.

13. ADJOURNMENT:

MOTION: Mayor Parvin moved and Councilmember Mikos seconded a motion to adjourn. The motion carried by voice vote 4-0, Councilmember Millhouse absent. The time was 9:32 p.m.

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Janice S. Parvin, Mayor

ATTEST:

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Maureen Benson, Assistant City Clerk